

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
 Plaintiff) C.A. No. 05-697-KAJ
 v.)
)
BE&K ENGINEERING COMPANY)
(subsidiary of BE&K, Inc.),)
 Defendant)

**DEFENDANT BE&K ENGINEERING COMPANY'S
MOTION FOR SUMMARY JUDGMENT**

Defendant BE&K Engineering Company, by and through its undersigned counsel hereby moves for summary judgment in the above-captioned action pursuant to Federal Rule of Civil Procedure 56. The grounds for this Motion are set forth in Defendant's Opening Brief, which is filed simultaneously herewith.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

Teresa A. Cheek (Bar I.D. 2657)
Margaret M. DiBianca (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6676; 571-5008
Facsimile: (302) 576-3286; 576-3476
Email: tcheek@ycst.com; mdibianca@ycst.com
Attorneys for Defendant

DATE: September 5, 2006

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
)
 Plaintiff) C.A. No. 05-697-KAJ
 v.)
)
BE&K ENGINEERING COMPANY)
(subsidiary of BE&K, Inc.),)
 Defendant)

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esq., hereby certify that on Tuesday, September 5, 2006 I electronically filed a true and correct copy of the foregoing **Defendant BE&K Engineering Company's Motion For Summary Judgment**, with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the counsel of record, and further certify that I caused a copy of such filing to be served by U.S.P.S. First Class Mail on the following counsel of record:

Woody Anglade
U.S. Equal Employment
Opportunity Commission
21 South 5th Street
Suite 400
Philadelphia, PA 19106-2515

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

Teresa A. Cheek (Bar I.D. 2657)
Margaret M. DiBianca (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6676; 571-5008
Facsimile: (302) 576-3286; 576-3476
Email: tcheek@ycst.com; mdibianca@ycst.com
Attorneys for Defendant

DATED: September 5, 2006